



ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

Attorney Heather H. Kruthers (for Petitioner Public Guardian)

Fourth and Final Account and Report of Conservator; Petition for Allowance of Compensation to Conservator and Attorney; and Distribution

DOD: 4/16/2016	PUBLIC GUARDIAN , Conservator of the Person and Estate, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
Cont. from		
<input type="checkbox"/> Aff.Sub.Wit.		
✓ Verified		
Inventory		
PTC		
Not.Cred.		
✓ Notice of Hrg		
✓ Aff.Mail	W /	
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
✓ 2620		
✓ Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: LEG
		Reviewed on: 10/26/16
		Updates:
		Recommendation:
		File 2- Dunlop

Petition for Removal of Administrator

DOD: 10/29/05		DORIS BROSI , Daughter, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Petitioner states Stella Brosi died 10/29/05, a resident of Fresno County.	1. Two Requests for Special Notice were filed in this matter. Need proof of service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing on Attorney Jeffrey Jaech of Baker Manock & Jensen, PC (for Louis Brosi, Jr., son), and Lang Richert & Patch, for Thomas Brosi (now deceased, unclear relationship) per Requests for Special Notice filed 10/9/07 and 2/7/08. Probate Code §1252. 2. Notice of Hearing was sent to Attorney Heather Kruthers, but was not sent directly to the Public Administrator. The Court may require proper notice to the PA. 3. The Court may also require notice to Attorney William Keeler and/or Dowling Aaron Incorporated, former attorneys for Cindy Henry. Attorney Keeler filed a Notice of Lien in this estate on 11/6/09. 4. Need order. Local Rule 7.1.1.F.
		On 1/5/07, a Petition for Probate of Will and Letters Testamentary was filed by the decedent's son Louis Brosi, Jr.	
		On 3/19/07, beneficiary Cindy Snow (Henry) filed an objection. After a court trial, but Court found it was not in the best interests of the estate to have Louis Brosi, Jr., serve as executor; therefore, the Court appointed the Public Administrator to serve as the personal representative of the estate.	
		Stella Brosi's husband Louis Brosi, Sr., predeceased her in 1979. His estate was probated and administered in 0246604, through which the Louis Brosi, Sr., Testamentary Trust was established.	
		Prior to their deaths, Louis and Stella owned approx. 18 acres at Alluvial and Chestnut Avenues. Following their deaths, Stella's estate and Louis' trust now each own an undivided one-half interest in the property. Similar to Louis' will, Stella's will also calls for the establishment of a testamentary trust and distribution of all assets to the trust. The named beneficiaries are their three children, Louis Jr., Doris, and Barbara Snow. Barbara predeceased distribution of the estate leaving two issue, Cindy Snow (Henry) and Robert Snow.	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	W	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input type="checkbox"/>	Order	X	
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
SEE ADDITIONAL PAGES			Reviewed by: skc Reviewed on: 10/26/16 Updates: Recommendation: File 3A- Brosi

Page 2 – Petitioner states on 11/27/07, Cindy Henry filed a Petition for Relief from Breach of Trust; to Compel Information and Account in the Louis Brosi, Sr., Trust 07CEPR01213, which sought to unwind certain transactions between Louis Brosi, Jr., as trustee of the Louis Brosi, Sr., Trust, and his sons, which involved the property.

The litigation carried on for years with a settlement in October 2014 involving the property and both the Louis Brosi, Sr., Trust and the Stella Brosi Estate. As part of the settlement, Cindy and Robert assigned their interests in the property and both the Louis Brosi, Sr., Trust and the Stella Brosi Estate to Louis C. Brosi, III. Consequently, neither have any further interest in the property or the Stella Brosi Estate.

Because half of the property owned by the Stella Brosi Estate was involved in the trust litigation, administration, the estate was essentially put on hold and no actions have been taken by the Public Administrator's office other than an appraisal of the property. *[Examiner's note: No I&A has been filed in this estate.]* Now that the trust litigation has been resolved, the Stella Brosi Estate is now in a position to complete the remaining administration tasks and close the estate.

On or about 9/29/16, Attorney Franco contacted Attorney Heather Kruthers to inform her of the trust settlement and the need to complete administration of the Stella Brosi Estate. Ms. Kruthers accepted Mr. Franco's offer to have Doris Brosi replace the PA as Administrator to close the estate. Doris is the named successor trustee of Stella's testamentary trust and is also the successor and current acting trustee of the Louis Brosi, Sr., Trust. As the daughter, she has higher priority than the PA, and the necessity that once existed for the PA to serve no longer exists.

Petitioner prays for an order:

- 1. Removing the Fresno County Public Administrator as Administrator of the Stella Brosi Estate; and**
- 2. For such other and further relief as the Court deems just and proper.**

Petition for Letter of Administration; Authorization to Administer under the IAEA

DOD: 10/29/05		<p>DORIS BROSI, Daughter, is Petitioner and requests appointment as Successor Administrator with Full IAEA without bond.</p> <p>Full IAEA – ok (Publication occurred previously in connection with the 2007 petition of Louis Brosi, Jr., for appointment as Executor)</p> <p>Will dated 10/11/78 was admitted to probate on 8/31/07.</p> <p>Residence: Fresno Publication: N/A</p> <p>Estimated value of estate: Annual income from real property: \$1,369,462.00</p> <p>Probate Referee: Rick Smith</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>SEE ADDITIONAL PAGES</u></p>	
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			W
N/A	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 10/26/16	
			Updates:	
			Recommendation:	
			File 3B- Brosi	

Page 2

5. Two Requests for Special Notice were filed 10/9/07 and 2/7/08 in this matter. Therefore, need proof of service of Notice of Petition to Administer Estate with a copy of the petition at least 15 days prior to the hearing on Attorney Jeffrey Jaech of Baker Manock & Jensen, PC (attorney for Louis Brosi, Jr.), and Lang Richert & Patch, attorneys for Thomas Brosi (now deceased) pursuant to Requests for Special Notice filed 10/9/07 and 2/7/08. Probate Code §1252.
6. Notice of Petition to Administer Estate was sent to Attorney Heather Kruthers, but was not sent directly to the Public Administrator, who is the current Administrator of the Estate. The Court may require proper notice to the PA.
7. The Court may also require notice be served on Attorney William Keeler and/or Dowling Aaron Incorporated, former attorneys for Cindy Henry, who filed a Notice of Lien in this estate on 11/6/09.
8. Need DE-142 Waiver of Bond from all beneficiaries, or the Court may require bond:
 - Louis Brosi, Jr. (Son)
 - Louis Brosi, III (Grandson)
 - Cindy Henry (Granddaughter)
 - Robert Snow (Grandson)

Note: Although Petitioner alleges in her petition at Page A that Cindy and Robert assigned their interest in this estate to Louis Brosi, III, within the trust litigation settlement, no assignments have been filed within this Estate; therefore, they remain heirs entitled to bond and distribution.

Note: Although Petitioner alleges in this petition that the estate consists of income only in the amount of \$1,369,462.00, her petition at Page A alleges that the estate owns a one-half interest in the real property. Therefore, need estimated value of the decedent's interest in the real property.

Note: The decedent's will was admitted to probate on 8/31/07; therefore, it appears that if granted, the Order and Letters should reflect admission of the will on that date and appointment of Petitioner as Successor Administrator With Will Annexed. Examiner has interlineated the proposed order and Letters accordingly.

Note: If granted, the Court will set status hearings as follows:

- Thursday, April 6, 2017 for filing the Inventory and Appraisal
- Thursday, January 4, 2018 for filing the first or final account.

Petitioner

Ragsdale, Alyssabeth Rose (Pro Per – Sister – Petitioner)

Objector

Ibarra, Rosenda (Pro Per – Mother – Objector)

Petition for Appointment of Guardian of the Person

See petition for details.			NEEDS/PROBLEMS/ COMMENTS:
Cont. from 072116, 082516, 092216			<u>Note:</u> See Minute Order of 8/25/16 re visitation for Rosenda Ibarra (mother).
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	W	
	Aff.Pub.		
	Sp.Ntc.		
✓	Pers.Serv.	W	
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
✓	Objections		
	Video Receipt		
✓	CI Report		
✓	Clearances		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		
			1. Petitioner filed Declarations of Due Diligence on 9/21/16 and 10/13/16 re Richard Ibarra, Father. If diligence is not found, need notice, pursuant to Probate Code §1511.
			Reviewed by: skc
			Reviewed on: 10/25/16
			Updates:
			Recommendation:
			File 11- Ibarra

Petitioner Tammy Marie Jones Swanegan (Pro Per, daughter)
 Attorney Curtis D. Rindlisbacher (Court-appointed for Conservatee)

Petition for Appointment of Probate Conservator of the Person and Estate

		NO TEMPORARY REQUESTED	NEEDS/PROBLEMS/COMMENTS:
		TAMMY SWANEGAN , daughter, is Petitioner.	Continued from 9/8/2016. Minute Order [Judge Vogt] states examiner notes provided in open court.
		~Please see Petition for details~	
Cont. from 090816		Court Investigator's Report was filed on 9/1/2016.	Note: Court records show Petitioner filed on 9/26/2016 the following documents:
	Aff.Sub.Wit.		
✓	Verified		<ul style="list-style-type: none"> • Copy of Advanced Health Care Directive, apparently signed by proposed Conservatee and notarized on 4/15/2014. • Copy of General Durable Power of Attorney, apparently signed by proposed Conservatee and notarized on 4/15/2014. • Request for Dismissal of the instant petition, which on 9/27/2016 was not entered as requested for the following reasons: "Dismissal is not appropriate based upon Court Investigator Report filed on 9/1/2016 and appointment of counsel for proposed Conservatee on 8/24/16. Hearing remains set on 11/3/2016." A copy of the rejection was placed in the pro per Petitioner's runner box for the document preparer assisting Petitioner. <p>~Please see additional page~</p>
	Inventory		
✓	Cap. Dec.		
	Not.Cred.		
	Notice of Hrg	X	
	Aff.Mail	X	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp	X Need Supp	
	Objections		
✓	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
✓	Citation		
	FTB Notice		
			Reviewed by: LEG
			Reviewed on: 10/26/16
			Updates:
			Recommendation:
			File 13- Jones

NEEDS/PROBLEMS/COMMENTS, continued:**The following issues from the last hearing remain:**

1. Need *Notice of Hearing* and proof of service by mail of the notice with a copy of the *Petition for Appointment of Probate Conservator* showing notice was mailed at least **15 days** before the hearing pursuant to Probate Code § 1822 for all of the relatives named in the *Petition* pursuant to Probate Code § 1822(b)(2).
2. *Proof of Personal Service* of the *Citation* filed 8/29/2016 does not show notice was personally served to the proposed Conservatee at Item 3(a), as the proof does not indicate a date and time of service; additionally, no date is indicated at the signature of the person serving the notice (Bernardo Yniguez.) Need proof of personal service of the *Citation* at least **15 days** before the hearing pursuant to Probate Code § 1824.
3. Court may require Petitioner to provide additional information in Item 5(c) of the *Petition* filed 8/8/2016, as supporting facts for the Court to determine that the proposed conservatee is unable to properly provide for her personal needs for physical health, food, clothing, or shelter.
4. Need *Confidential Supplemental Information Form* (Judicial Council form GC-312) to be filed with the Court pursuant to Probate Code § 1821.
5. Item 1(k) of the *Petition* filed 8/8/2016 requests orders relating to dementia placement or treatment. Since dementia powers are requested, need the mandatory *Attachment Requesting Special Orders Regarding Dementia* (Judicial Council form GC-313) to be filed with the Court in support of the Petitioner's request.
6. *Petition* is **not marked** at Item 1(g) for the Court to consider granting medical consent powers. Additionally, *Petition* is **not marked** at Item 9(a) indicating that there is no form of medical treatment for which the proposed Conservatee has the capacity to give an informed consent. However, Item 9(b) is marked indicating that a *Medical Capacity Declaration* in support of Petitioner's request is filed with the *Petition*. Need confirmation regarding whether Petitioner requests medical consent powers in addition to the separate and distinct dementia powers.
7. Since dementia powers are requested, need the mandatory *Dementia Attachment to Capacity Declaration - Conservatorship* (mandatory-use Judicial Council form GC-335A) to be filed as part of the *Capacity Declaration* completed by the physician.

Note: Bond is required for conservatorship estates pursuant to Probate Code § 2320 and CA Rule of Court 7.207, except for the value of any real property of the proposed conservatee, which cannot be sold without Court approval. Real property valued at **\$203,000.00** is indicated as the only asset of the proposed conservatee. Court may waive bond (if Petitioner's representation is accurate regarding the estate assets) under Probate Code § 2321 which provides the Court may not waive bond without a good cause determination that Conservatee will not suffer harm as a result of the waiver.

Attorney: Gregory J. Roberts (for Kathleen Sowell)

Attorney: Deborah Boyette (Court-appointed for proposed conservatee)

Petition for Appointment of Probate Conservator

		<u>NO TEMPORARY REQUESTED</u>	NEEDS/PROBLEMS/COMMENTS:
		KATHLEEN SOWELL, sister, is petitioner and requests appointment as conservator of the person and estate with medical consent powers and bond of \$51,000.00.	Continued from 9/22/2016. Continued for investigation to be completed.
Cont. from 092216			
	Aff.Sub.Wit.		Court Investigator Jennifer Young to provide: <ul style="list-style-type: none"> • Advisement of rights • Investigation report <p>See additional page.</p>
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	w/	
	Aff.Pub.		
	Sp.Ntc.		
✓	Pers.Serv.	w/	
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
✓	Video Receipt		
	CI Report	x	
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
✓	Citation		
	FTB Notice		
			Reviewed by: SEF
			Reviewed on: 10/26/2016
			Updates:
			Recommendation:
			File 14- Partridge

NEEDS/PROBLEMS/COMMENTS, *continued*:

Note: If the petition is granted, status hearings will be set as follows:

- **Tuesday, December 6, 2016** at 9:00 am in Department 303, for the filing of the bond.
- **Tuesday, March 7, 2017** at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal.
- **Tuesday, January 9, 2018** at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution.

Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.

Attorney Gary G. Bagdasarian (for Petitioner Alice Colleen Bethel)

Petition for Letters of Administration; Authorization to Administer under IAEA

DOD: 7/31/2016	ALICE COLLEEN BETHEL , daughter, is		NEEDS/PROBLEMS/COMMENTS:
	Petitioner and requests appointment as		
Cont. from 102016	Administrator with full IAEA without bond.		Continued from 10/20/2016. Minute Order [Judge Hamilton] states matter is continued due to the issues raised in the examiner notes.
<input type="checkbox"/> Aff.Sub.Wit.			
<input checked="" type="checkbox"/> Verified	Full IAEA	— OK	Note: If <i>Petition</i> is granted, Court will set status hearings as follows:
<input type="checkbox"/> Inventory			
<input type="checkbox"/> PTC	Decedent died intestate.		<ul style="list-style-type: none"> Monday, April 3, 2017, at 9:00 a.m. in Dept. 303 for filing of inventory and appraisal; and Monday, January 8, 2018 at 9:00 a.m. in Dept. 303 for filing of first account and/or petition for final distribution.
<input type="checkbox"/> Not.Cred.			
<input type="checkbox"/> Notice of Hrg	N/A	Residence — Fresno	Pursuant Local Rule 7.5, if the documents noted above are filed 10 days prior to the dates listed, the hearings will be taken off calendar and no appearance is required.
<input type="checkbox"/> Aff.Mail		Publication — Business Journal	
<input type="checkbox"/> Aff.Pub.			
<input type="checkbox"/> Sp.Ntc.			
<input type="checkbox"/> Pers.Serv.	Estimated value of the Estate:		
<input type="checkbox"/> Conf. Screen	Personal property - \$190,000.00 Annual income PP - \$ 1,000.00		
<input checked="" type="checkbox"/> Letters	Total	- \$191,000.00	
<input checked="" type="checkbox"/> Duties/Supp			
<input type="checkbox"/> Objections	Probate Referee: Rick Smith		Reviewed by: LEG Reviewed on: 10/26/16 Updates: Recommendation: File 18- Bethel
<input type="checkbox"/> Video Receipt			
<input type="checkbox"/> CI Report			
<input type="checkbox"/> 9202			
<input checked="" type="checkbox"/> Order			
<input type="checkbox"/> Aff. Posting			
<input type="checkbox"/> Status Rpt			
<input type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
<input type="checkbox"/> FTB Notice			